



Comment Submission 22

State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Allen Fiksdal, Manager
Energy Facility Site Evaluation Council
Post Office Box 43172
Olympia, Washington 98504-3172

**ENERGY FACILITY SITE
EVALUATION COUNCIL**

Dear Mr. Fiksdal:

**SUBJECT: WALLULA POWER PROJECT AND WALLULA - MCNARY
TRANSMISSION LINE PROJECT: COMMENTS ON DRAFT
ENVIRONMENTAL IMPACT STATEMENT**

Washington Department of fish and Wildlife (WDFW) has reviewed the Draft Environmental Impact Statement for the Wallula Power Project and Wallula-McNary Transmission Line Project dated February 2000. Our analysis was directed at Section 3.4 (Wetlands and Vegetation), Section 3.6 (Wildlife), Section 3.7 (Fisheries) and their ecological relationships. Our comments are confined to the project site, the makeup water supply pipeline, and the natural gas pipeline interconnection. Proposed project impacts were examined in conjunction with mitigation measures outlined in Appendix A of the DEIS.

In general, the DEIS discusses most of the impacts relating to fish, wildlife and their habitats, however, proposed mitigation for those impacts should be improved upon. The goal of WDFW is to maintain the functions and values of fish and wildlife habitat in the state. We strive to protect the productive capacity and opportunities reasonably expected of a site in the future. In light of this, we offer the following comments.

Wetlands and Vegetation**Section 3.4.2 - Impacts of the Proposed Action**

The document mentions that "the applicant is providing mitigation for the potential loss of wildlife habitat value provided by the wetlands through the enhancement of riparian habitat along the Walla Walla River via purchase and transfer of water rights."

22-1

WDFW supports this action, however, the DEIS lacks detailed discussion on this topic. For purposes of evaluating the whole project in terms of impacts and mitigation, a more thorough discussion of the above proposal is necessary. See additional discussion below, under Appendix A – Mitigation Measures.

22-1
contd

Section 3.4.2.2 - Wetlands

Wetlands located on the western edge of the project site are at least partially maintained by upslope irrigation. Although not of highest quality, these wetlands provide habitat for a wide variety of wildlife species. With the proposed project displacing the irrigated crops and hydrologic support, the wetlands could experience some dewatering, especially during the summer. The degree the wetlands may be dewatered is uncertain.

WDFW would like to see these wetlands monitored and protected. Monitoring could be as simple as the installation of a staff gage in the deepest part of wetland. In the event the wetlands are dewatered to a level that would alter their current functions, mitigation for the loss should be performed.

22-2

Section 3.4.2.2 - Vegetation

In areas not occupied by the generation plant facilities yet within project boundaries, intentions are to seed and plant the disturbed acres and return them to a native shrub steppe habitat.

WDFW is concerned that the cooling tower drift containing dissolved solids such as sulfate, sodium, chloride, calcium, nitrate, silicon dioxide, bicarbonate, potassium, magnesium, phosphate, and other chemicals will have a detrimental effect on the long-term viability of the restored native plant communities, the formation of quality habitat, and wildlife occupancy and usage within project boundaries. In addition, concentrations of nitrogen deposited in the area could influence weed growth and proliferation.

22-3

We suggest a long term monitoring plan for evaluating vegetative conditions at the site. If on-site vegetative conditions fail to provide wildlife habitat during the operating life of the project, an alternative habitat mitigation or restoration effort should take place off-site on an adjacent piece property at a ratio greater than 1:1. As mentioned in Section 3.6.2.1 (Construction – Generation Plant), “An equivalent area of damaged or permanently lost shrub-steppe habitat would be reestablished on other property in the local area.” Establishing quality shrub steppe habitat off site would meet these restoration goals. Ratios should be greater than 1:1 to compensate for temporal losses and uncertainty of performance.

Wildlife

Impacts of the Proposed Action

Section 3.6.2.1 - Construction: Generation Plant

To avoid and reduce impacts resulting from construction of the power plant site and the access roads, BMPs would be implemented during construction. We anticipate project site-specific surveys would be conducted prior to construction to determine the presence of several special-status bird species and two special-status mammal species. We are concerned with the amount

22-4

of time that passes between the survey dates and initiation of construction. If too much time passes, then conditions could change and that could result in invalid conclusions and possible harm to one or more special-status species. We propose that this be re-stated to read "Immediately prior to construction...." It is important that site-specific surveys be conducted with the consideration of the life-cycle of each individual species. Surveys should be conducted at the earliest time a particular species could potentially be expected to inhabit the local area and monitored for presence until the start of major construction activities.

22-4
contd

Ferruginous hawk and western burrowing owl are two special-status species that occur within or near the project site. WDFW recommends that they receive special attention. We generally support the management guidelines for burrowing owls outlined in Exhibit 3.4.1.1-1 in Appendix B: The Applicant proposes to meet or exceed a 250-foot disturbance-free buffer during the March 15 to August 15 breeding season and for any occupied burrows along the natural gas pipeline right-of-way. In the last survey on May 6, 2001, the closest ferruginous hawk nest was 0.5 miles from the proposed natural gas pipeline tap site. WDFW management guidelines for ferruginous hawks recommend that brief human access and intermittent ground-based activities be avoided within a distance of 250 m (820 ft) of nests during the hawk's most sensitive period (1 March to 31 May). Prolonged activities should be avoided, and noisy, prolonged activities should not occur within 1 km (0.6 mi) of nests during the breeding season (1 March to 15 August). Construction or other developments near occupied nests should be delayed until after the young have dispersed, which generally occurs about a month after fledging.

22-5

The DEIS mentions that if special-status species are present, specific mitigation plans would be developed and offsite mitigation would be implemented for loss of habitat required by these species. To adequately address impacts to these special-status species WDFW generally recommends that sensitive, threatened, or endangered wildlife species and critical habitat be avoided through adjustments to construction timing and/or structure locations.

22-6

Fisheries

Section 3.7.2.1

The project indicates Wetland A or Irrigation Pond A will be filled and leveled. The loss of wetland and riparian habitat around the pond has been accounted for in the DEIS. It also has been pointed out that fish will no longer be entrained into the pond and implied that the impact on the fish resources will be lessened. Section 3.7.2.2 states that "A net benefit to Columbia River fisheries would result since fish entrainment from Casey Slough into the irrigation system would be eliminated. We find this misleading because there are other irrigators that depend on the system to provide water and the pumps at Casey Slough will still operate. Fish will continue to be entrained. Therefore, the impact to Columbia River fish resources would not change.

22-7

The DEIS mentions that the fish in the pond serve as prey for a number of fish-eating birds. Fish would continue to be entrained into the canal, but would not be as available as a source of forage for fish-eating birds due to the confines of the canal. Loss of this prey base and the impacts on fish-eating birds and other predators that have relied on this forage base with the elimination of the pond should be considered under wildlife mitigation.

22-8

Appendix A - Mitigation Measures

Wildlife Mitigation

WDFW has reviewed Mitigation Measures Inherent in the Project Design in Appendix A of the DEIS. We understand that measures described to mitigate impacts to water resources, vegetation and wetlands also apply to wildlife mitigation. Considering this, one of these measures stands out: "Mitigation for the loss of wildlife habitat value provided by wetlands would be provided by enhancement of riparian habitats along the Walla Walla river via the applicant's participation with the Washington Department of Ecology in the purchase and placement into trust of water rights. Under the purchase agreement, approximately 145 acres of land would be planted with native trees." WDFW has not seen details of this proposal, and at a minimum, a comprehensive plan should be developed and included in the DEIS for review.

WDFW Mitigation Policy directs mitigation measures to begin at the time construction begins. Mitigation that is implemented after project construction, or that requires a long time to reach replacement value, must include additional habitat value equal to the loss through time. Furthermore, the mitigation site should be protected for the life of the project with a mitigation contract to document the terms of the mitigation plan.

In recognition of the need to mitigate for all project related impacts on wildlife and wildlife habitat, WDFW and the proponent are developing a Wildlife Mitigation Settlement Agreement. That Agreement will include specific mitigation measures and locations along with a commitment to develop revegetation, restoration, and monitoring plans that will replace and protect impacted wildlife habitat. Once it is complete that Agreement will be introduced to the Energy Facility Site Evaluation Council (EFSEC) as part of their site evaluation process.

Thank you for the opportunity to provide these comments. We hope you find them helpful. If you have any questions regarding these comments please contact me at 360 904-2422 or Doug Robinson at 509 536-2012.

Sincerely,



Curt Leigh
Major Projects Section
Washington Department of Fish and Wildlife

CL:DR:lw

CC: David Mudd
Doug Robinson
Bill Frymire

**Responses to Comment Submission 22,
Letter from Curt Leigh, Washington Department of Fish and Wildlife**

- 22-1. Please see response to comment 19-32. River and the McNary Wildlife Refuge where ample food sources are available.
- 22-2. Please see response to comment 19-33 and updated text in Chapter 3, Section 3.4 of this Final EIS. Per an agreement with WDFW, the applicant will monitor the wetlands, attempt to maintain wetland hydrology, and investigate alternative mitigation should dewatering occur.
- 22-3. See updated text in Chapter 3, Section 3.4 of this Final EIS. Per an agreement with WDFW, the applicant will monitor revegetation success and provide documentation to EFSEC and WDFW on monitoring and meeting performance standards.
- Concerning shrub-steppe habitat replacement, the jurisdictional authorities would determine the required ratios, if any. The Settlement Agreement between the applicant and WDFW addresses these issues.
- 22-4. The mitigation provided in Appendix A has been updated.
- 22-5. Please see Appendix A, Mitigation Measures, “Construction Timing and Construction Avoidance Areas.”
- 22-6. Please see Appendix A, Mitigation Measures, “Construction Timing and Construction Avoidance Areas.”
- 22-7. The Draft EIS did not consider that there were other irrigators using water pumped from Casey Slough and therefore the pump would continue to operate. The EIS text has been updated accordingly; see Chapter 3 of this Final EIS, Section 3.7.
- 22-8. The impacts to fish-eating birds and other predators due to the loss of prey base from the seasonally dewatered Pond A is considered minimal because the pond is located adjacent to the Columbia
- 22-9. The applicant has provided funding to a private third party who will use this funding, in cooperation with the Department of Ecology, to restore and enhance approximately 145 acres of riparian habitat along the Walla Walla River. Information about this agreement is included in Chapter 3, Section 3.4 of this Final EIS.